

Remarks

Reconsideration of this application as amended is respectfully requested.

Claims 21, 25, 29, 33, and 37 stand rejected under 35 U.S.C. §102(e) in view of U.S. Publication No. 2004/0139178 of *Mendez et al.* ("*Mendez*").

Claims 22-24, 26, 34-36, and 38 stand rejected under 35 U.S.C. §103(a) in view of *Mendez*.

Claims 27-28, 30-32, and 39-42 stand rejected under 35 U.S.C. §103(a) in view of *Mendez* and U.S. Patent No. 6,591,367 of *Kobata et al.* ("*Kobata*").

Applicant has amended the specification to maintain consistent use of the term "configuration change message" in the response message 30.

Applicant respectfully submits that claim 21 is not anticipated by *Mendez* because *Mendez* does not disclose providing configuration data to a device in a server response to an HTTP request from the device as claimed in claim 21. *Mendez* discloses a global server 115 having a configuration engine 389 that sends configuration and user data 356 for configuring a remote terminal 105 to the remote terminal 105 (*Mendez*, Figure 3 and paragraph 50) but does not teach that the configuration and user data 356 for configuring the remote terminal 105 are sent to the remote terminal 105 in a server response to an HTTP request from the remote terminal 105 as claimed in claim 21. *Mendez* discloses a web page engine 398 that transmits web page data 368 to the remote terminal 105 (*Mendez*, Figure 3 and paragraph 49) but it is the configuration engine 389 of *Mendez* and not the web page engine 398 that sends configuration and user data 356 to the remote terminal 105 (*Mendez*, Figure 3 and paragraph 50).

Paragraph 73 of *Mendez* seems to contradict paragraph 50 of *Mendez* by stating that "the web page engine 398 of

the global server 115 in step 1015 transmits web page data 368 and configuration and user data 356 to the remote terminal 105." It is submitted that the configuration and user data 356 referred to in paragraph 73 of *Mendez* is not data for configuring the remote terminal 105 as is the configuration and user data 356 described in paragraph 50 of *Mendez*. For example, paragraph 73 of *Mendez* states that the configuration and user data 356 sent by the web page engine 398 is used to display a web page service list 900 for accessing services of the global server 115 whereas paragraph 50 of *Mendez* states that the configuration and user data 356 sent by the configuration engine 389 is used to configure elements of the remote terminal 105. Moreover, step 1015 of *Mendez* is part of a method for accessing services on a network (*Mendez*, Figure 10 and paragraph 72) rather than one for configuring a device as claimed in claim 21. It is therefore submitted that the web page engine 398 of *Mendez* does not provide configuration data to a device in a server response to an HTTP request from the device as claimed in claim 21.

Given that claims 22-32 depend from claim 21, it is submitted that claims 22-32 are not anticipated by *Mendez*.

It is also submitted that claim 33 is not anticipated by *Mendez*. Claim 33 is a method for configuring a device that includes limitations similar to the limitations of claim 21. Therefore, the remarks stated above with respect to claim 21 and *Mendez* also apply to claim 33.

Given that claims 34-42 depend from claim 33, it is submitted that claims 34-42 are not anticipated by *Mendez*.

Applicant also submits that claims 22-24, 26, 34-36, and 38 are not obvious in view of *Mendez* because claims

22-24, 26, 34-36, and 38 depend from claims 21 and 33 and because *Mendez* does not disclose or suggest providing configuration data to a device in a server response to an HTTP request from the device as claimed in claims 21 and 33.

Applicant further submits that claims 27-28, 30-32, 39, and 41-42 are not obvious in view of *Mendez* and *Kobata* because claims 27-28, 30-32, 39-42 depend from claims 21 and 33 and because *Mendez* and *Kobata* do not disclose or suggest providing configuration data to a device in a server response to an HTTP request from the device as claimed in claims 21 and 33. Applicant has shown that *Mendez* does not disclose or suggest providing configuration data to a device in a server response to an HTTP request as claimed in claims 21 and 33. *Kobata* discloses a system for protecting messages from unauthorized access (*Kobata*, col. 2, lines 18-22) rather than providing configuration data to a device in a server response to an HTTP request from the device as claimed in claims 21 and 33.

It is respectfully submitted that in view of the amendments and arguments set forth above, the applicable objections and rejections have been overcome.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-1078 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 5-9-06

By: Paul H. Horstmann
Paul H. Horstmann
Reg. No.: 36,167